

Preparing a Justified Local Plan

27 July 2015

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1. Introduction

- 1.1 Contained within national policy are four key requirements of every Local Plan. They should *be justified, effective, positively prepared, and consistent with national policy*. The far-reaching implications of national policy were discussed at the Planning Policy Working Group on 13 July 2015. Also discussed at the same meeting was a proposed methodology to ensure that the requirement for a *justified* plan can be met in full. This report follows on from the methodology as discussed at that meeting and shows how a properly justified plan can be prepared through to Options stage consultation.

Lessons from the 2014 Submission Local Plan

- 1.2 Poor justification of the 2014 Submission Local Plan was one of the main reasons for the negative conclusions of the Planning Inspector's report. This was evident in relation to his criticisms of the Sustainability Appraisal, one of the main tools available to Local Planning Authorities to document the audit trail of decisions behind the emerging plan, and where assessment of alternatives should take place.

Local Plan Inspector's Report, Paragraph 3.6 (extracts)

"All in all it may be questionable whether the various successive SAs together provide a really transparent audit trail of the endorsement/rejection of the claims of the very many other smaller 'reasonable' candidate locations for growth..."

"Future SAs need to ensure that the requirements of the Regulations and the principles established by case law are built into the process from the outset."

- 1.3 The Inspector's report refers to "the difficulty in following the reasoning behind the adoption/rejection of some specific candidate 'reasonable' options sites". Furthermore, the Inspector was very clear that he would not comment upon the comparative merits of various options, including new settlements:

Local Plan Inspector's Report, Paragraph 4.4 and 4.5

There appeared to me to be fairly widespread recognition that some form of 'new settlement(s)' may form an appropriate means for catering for the future long-term growth of the District and, if so, that this should be on a scale bold enough to achieve maximum possible sustainable critical mass and a long term solution, especially if there are judged to be limits as to how far relatively small towns with the characters of Saffron Walden and Great

Dunmow can grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion. However, I do not consider it for me to comment further upon this matter.

Nor is it necessary or appropriate for me to comment on the comparative claims of any of the very many potential alternative development sites, large and small, promoted in representations to the submitted plan or indeed at the other stages during the 8 years which it took for the plan to evolve against changing background circumstances.

- 1.4 From this it is clear that the Council should take great care not to jump to conclusions about where development should go. Instead, it is essential that the Council should adhere to an agreed and transparent process, carefully considering in the merits of all the options. This process needs to be set out in a clear and accessible manner, in an audit trail that can be followed by those not involved in the evolution of the plan.
- 1.5 This report sets out proposals for addressing these shortcomings with the previous Local Plan, for discussion by Members and reflection over the summer prior to a public consultation in the autumn.

Plan-Making and Sustainability Appraisal

- 1.6 The Sustainability Appraisal Scoping Report sets out the legal requirements and the regulations. The Council has commissioned the Planning Advisory Service to prepare a 'critical friend' review of the Sustainability Appraisal of the previous Local Plan, which will be reported to the Scrutiny Committee in October. The Planning Advisory Service has advised the Council not to delay work on the Local Plan pending receipt of this report.
- 1.7 Plan-making and sustainability appraisal exist in a reciprocal relationship of testing through an iterative process. Sustainability Appraisal provides a way in which plans may be improved. It also enables 'equal appraisal' of options, ensuring that the legal requirements can be met.
- 1.8 In order to commence the first iteration of the plan and to begin the plan-making process, it is necessary for the plan-makers to draw together some initial concepts for appraisal. The appraisal conclusions can then be used to help inform the next stage of plan-making as ideas are tested and gradually refined.

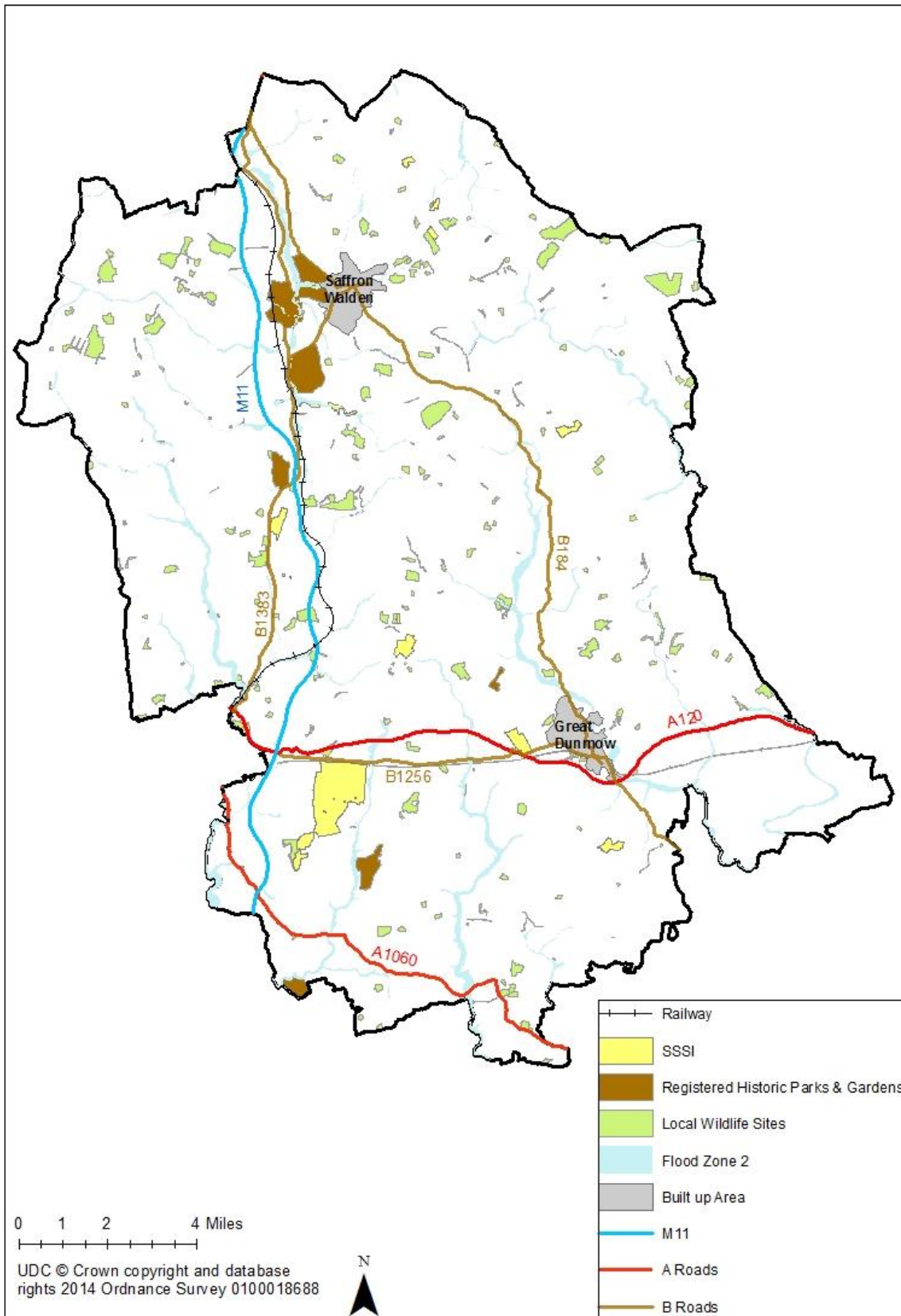
Starting to Plan: Chicken or egg?

- 1.8 It is commonly observed that plan-making starts with a ‘chicken and egg’ problem: there is a huge amount of evidence available, but the testing process can’t start until some areas have been identified for testing.
- 1.9 A constraints-led approach does not assist at the start of the process. Although there are some areas of the District which are constrained, very little land is absolutely constrained, as shown in Figure 1 overleaf. For example, the impact of a development on a historic or ecological asset is highly context and site specific. A precious view of a church spire may be preserved by the pattern of the street layout within a new development, or a sensitively designed network of ‘Green Infrastructure’ within and around a development can mitigate the impacts on wildlife sites within the site or nearby.
- 1.10 Discounting areas on the basis of superficial consideration would inevitably lead to strong challenges from developers armed with extensive evidence submitted by experts in specialist fields. For plan-makers, assessment of potential constraints is necessary, but it is not the starting point in setting up a spatial assessment framework.
- 1.11 In order to ensure that the Council can demonstrate that it has made every effort to meet objectively assessed development needs, it is inadvisable to jump to conclusions on the basis of apparent ‘constraints’, or because a potential site ‘could’ negatively affect precious assets. This applies also to Green Belt, which although it should only be released in exceptional circumstances through a Local Plan review, is not an absolute constraint. Similarly, although consideration of planning appeal decisions should inform the process, care must also be taken not to jump to conclusions regarding the applicability of individual appeal decisions to wider strategic considerations.
- 1.12 To start the process, it is standard practice to begin with high-level but nevertheless reasonable assumptions, in order to ensure that options are not arbitrarily discounted without due consideration. This is addressed in Section 2 below.

Uncertainty during the preparation of Local Plans

- 1.13 One consequence of an open and transparent approach to plan-making will be an extended period of uncertainty which may be a cause of some concern to local residents. Such concerns, whilst understandable, should be balanced against the need to ensure that the process of formulation of the plan is subject to public scrutiny, and so that the many challenges facing the Council can be understood. The Council will do everything it can to expedite progress on the Local Plan, subject to ensuring that it has complied with the requirements of soundness set out in national policy.

Figure 1: Uttlesford District, showing the main constraints (excluding Green Belt and the Stansted Airport Countryside Protection Zone)



2. Initial Assumptions

- 2.1 As explained above, the initial stage in preparation of the development strategy is to establish a reasonable set of high level assumptions which can then be refined as more evidence is gradually accumulated through the strategy selection process.
- 2.2 At the previous Planning Policy Working Group on 13 July 2015, Members discussed five potential high-level criteria which could inform the development of 'areas of search' or broad spatial areas for further consideration and testing. These five assumptions were as follows:
- Potential to contribute to effective cross-boundary strategic planning priorities.
 - Potential to minimise the need to travel by car, for example by locating residential development near to jobs, shops, leisure opportunities, and other facilities.
 - Potential access to the strategic highways and rail network.
 - Exclusion of areas with special protection, for example Registered Parks and Gardens and Sites of Special Scientific Interest.
 - Focus on key villages and "villages with a primary school and with some local services: e.g. village hall/pub/shop suitable for a scale of development that would reinforce its role as a local service centre" (known as Type A rural settlements in the 2014 submission Local Plan).
- 2.3 This section takes these five assumptions as a starting point for consideration, and applies them to the geography of Uttlesford.
- 2.4 The purpose of the exercise is to identify whether there are any locations which the Council can be confident should be screened out from further consideration. The purpose of the exercise is not to identify the best locations for development. Therefore no scoring or rating system has been used because this would be misleading in terms of how suitable a given location could be for development.

Potential to contribute to effective cross-boundary strategic planning priorities

- 2.5 The National Planning Policy Framework (NPPF, Paragraph 182) states that this is a key part of an effective plan, and this is an important aspect of the Duty to Co-Operate. The brief review below illustrates how issues could affect the development of the plan.
- 2.6 The town of **Braintree** lies approximately 3 miles east of the edge of Uttlesford District along the A120. Although for the purposes of the Strategic

Housing Market Assessment (SHMA) Braintree lies within a separate Housing Market Area (HMA) covering Chelmsford, it nevertheless has strong linkages with parts of Uttlesford and has good access to Stansted Airport along the A120. It is understood that Braintree Council is currently testing options for a new settlement adjacent to the boundary with Uttlesford, and that landownerships stretch across the District boundaries.

- 2.7 The town of **Bishop's Stortford** lies immediately adjacent to the western side of Uttlesford District, and is accessible from Great Dunmow (7 miles along the A120) and with Saffron Walden (11 miles along the B1383). Bishop's Stortford shares a Housing Market Area with Uttlesford District, both of which are influenced by the M11 and the West Anglia Main Line. Bishop's Stortford is the nearest town to Stansted Airport, which exerts a significant influence on the town in terms of employment opportunities.
- 2.8 The city of **Cambridge** lies approximately 6 miles north of the administrative boundary of Uttlesford District. It may be accessed from Saffron Walden via the A1301 or by train from all stations on the West Anglia Main Line. Cambridge City Council and South Cambs District Council (which adjoins Uttlesford District) have a strong functional relationship and together form part of the Cambridge Housing Market Area. This exerts an influence on the northern part of Uttlesford District.
- 2.9 The town of **Harlow** lies approximately 4 miles south-west of the administrative boundary but lies within the same Housing Market Area, with good access through Uttlesford to Cambridge by train and also on the M11. Harlow Council has aspirations for development to achieve critical mass in order to transform the economic fortunes of the town. The focus of these aspirations is on urban extensions to the town, and work is ongoing to assess options for growth to the north in East Hertfordshire District, and to the west and south in Epping Forest District.
- 2.10 The city of **Chelmsford** lies approximately 6 miles from the south-eastern edge of Uttlesford District. Chelmsford has strong connections with Colchester and Braintree. Although the A1060 between Chelmsford and Bishop's Stortford passes through the southern edge of Uttlesford District it provides ready access to neither of Uttlesford's two towns and the influence of Chelmsford over travel to work patterns and the Housing Market Area is weak. It is therefore considered that Chelmsford is unlikely to have a strong influence on patterns of development within Uttlesford District.
- 2.11 The town of **Haverhill** lies approximately 4 miles north-east of the administrative boundary within St. Edmundsbury Borough. St. Edmundsbury Borough does not directly adjoin Uttlesford but is separated from it by South Cambs District. Haverhill lies within a separate Housing Market Area and has

strong connections with other settlements outside Uttlesford District, including Cambridge and Bury St. Edmunds. It is considered that in functional terms the relationship between Haverhill and settlements within Uttlesford is weak and should not have a significant impact on the development strategy for Uttlesford's Local Plan.

- 2.12 London** is a significant influence on travel to work patterns in Uttlesford, as indeed it is for much of the east and south-east of England. Significant numbers of Uttlesford residents commute to work in central London via the West Anglia Main Line which provides fast access to Liverpool Street Station.
- 2.13 The above review suggests that the main locations for consideration in terms of potential influences on the spatial distribution of future growth are Braintree and Bishop's Stortford.

Potential to minimise the need to travel by car, for example by locating residential development near to jobs, shops, leisure opportunities, and other facilities

- 2.14 Accessibility is an important consideration for plan-making. Uttlesford District possesses only two towns with significant jobs and facilities and it is therefore proposed that with the exception of areas excluded under criterion 4 below, all the areas around these towns will be considered further through the testing process. Bishop's Stortford also lies on the edge of the district and contains a significant range of jobs and facilities.
- 2.15 Application of this criterion suggests that large areas of Uttlesford District, which are rural areas remote from settlements with a range of facilities, and also remote from transport corridors, should be excluded from further consideration.
- 2.16 New settlements should also meet this criterion to some extent, although it is generally only the largest new settlements which would be capable of providing a significant number of job opportunities.

Potential access to the strategic highways and rail network

- 2.17 The M11 is the main strategic road which runs north-south through the District. There are only two motorway junctions in the District, at Junction 8 between Bishop's Stortford and Stansted Airport, and Junction 9 near Great Chesterford. There does however appear to be space either side of Junction 9. The feasibility of junction improvements for access to both sides of the motorway would need to be investigated.
- 2.18 M11 Junction 8 is closely related to Stansted Airport and the A120. The area to the south-east of the junction could be considered a suitable area for a

potential new settlement related to the airport. Stanstead Airport station is relatively nearby.

- 2.19 The A120 is the other strategic highway in the District, running east-west across the District. The entire length of the section through the District is dual carriageway. Locations to north and south of the A120 with direct access onto existing junctions may be considered worthy of further consideration and testing in the context of a possible freestanding new settlement.
- 2.20 There are six railway stations in the District, at Stansted Airport, Stansted Mountfitchet, Elsenham, Newport, Audley End, and Great Chesterford.

Exclusion of areas with special protection, for example Registered Parks and Gardens and Sites of Special Scientific Interest.

- 2.21 There are many designations and protections currently in place across the District. The NPPF requires that a hierarchy of designations should be put in place, with the most protections afforded to those at the top of the hierarchy. As part of the Local Plan process all designations will be considered. Discussions with ecology and heritage bodies suggest that there are also a large number of undesignated assets which should be considered as part of the Local Plan process.
- 2.22 The initial criterion relates to exclusionary factors i.e. designations which can be used to rule out areas of search. From a review of the mapped data, options which can be ruled out at this early stage despite performing favourably against other criteria are: Audley Park Registered Historic Park to the west of Saffron Walden, and Hatfield Forest SSSI to the south of the A120. Although there are other designated sites in close proximity to (and indeed within) areas which could be considered further, the specific impacts of development would need to be considered on a site-by-site basis taking account of the local context and impact pathways. It is therefore considered premature to exclude such areas on these grounds. This approach has been discussed with heritage and ecology specialists at the relevant bodies.

Focus on Key Villages and Type A villages

- 2.23 The Planning Inspector took a pragmatic approach in his report on the settlement hierarchy proposed by the 2014 Submission Local Plan.

Local Plan Inspector's Report, 19 December 2015

"3.24 The settlement classifications in table 2 of ULP are based broadly on the level of services available at each settlement. This is a more appropriate evidential base than the system underlying the classification of settlements in the present local plan. There will always be scope for debate about how much

weight to apply to one factor or another and the appropriate categorisation for individual towns or villages where their services are at the margin between different classifications. However, the content of table 2 (and the resulting roles of the particular settlements) is generally soundly set out.

“3.25 Having said this, where it can be justified by relevant economic, social and environmental factors a case can sometimes be made to direct a greater or lesser amount of development to a settlement than would reflect its strict place in the settlement hierarchy. Some of the factors discussed during the hearing (eg locally identified demographic and other needs, local constraints and opportunities, patterns of bus services, and inter-relationships between particular settlements) can be relevant to such decisions and can be considered in taking the plan forward.”

- 2.23 It is not proposed to re-assess the settlement hierarchy, as this would be likely to result in protracted and subjective discussions about the different weightings attributed to various facilities in each village. More importantly, it will be necessary to undertake discussions with Parish Councils to understand the local context and any areas which could have potential for further consideration, to help inform the consideration of any sites assessed through the SHLAA process.

Conclusion: Defining Areas of Search

- 2.24 The above review suggests 9 broad areas of search to be carried forward for assessment, and two areas discounted from further consideration, as set out in Table 1 below.

Table 1: Summary of potential areas considered

No.	Area of Search	Cross-boundary strategic planning	Minimise need to travel	Access to the transport network	Key designations	Villages with local services	Carry forward for assessment?
1	M11 (J9a) - east	Transport	New settlement	M11, A11 Great Chesterford rail station	Various – none exclusionary	n/a	Yes
2	M11 (J9) - west	Transport	New settlement	M11	Various – none exclusionary	n/a	Yes
3	Elsenham	n/a	New settlement	Poor roads Elsenham station		n/a	Yes
4	M11 (J8) – north-west	Transport, economic development	New settlement	M11, A120 west	Various – none exclusionary	n/a	Yes
5	M11 (J8) – south-east	Transport, economic development	New settlement	M11, A120 east	Hatfield Forest SSSI to east	n/a	Yes
6	South of A120, North of Hatfield Forest	Transport, economic development	New settlement	A120 Stansted Airport station	Hatfield Forest SSSI to south	n/a	Yes
7	North of A120, west of Great Dunmow	n/a	New settlement	Access to A120 Stansted Airport station	SSSI and a Registered Historic Park in the area	n/a	Yes
8	South of A120	n/a	New settlement	Access to A120 No station	SSSI adjacent to the area	n/a	Yes
9	West of Braintree	Cross-boundary housing	New settlement	Access to A120 No station	County wildlife sites	n/a	Yes
10	Saffron Walden	n/a	Range of existing facilities	Limited access to strategic roads.	Audley Park to the west	n/a	Yes

No.	Area of Search	Cross-boundary strategic planning	Minimise need to travel	Access to the transport network	Key designations	Villages with local services	Carry forward for assessment?
			in town	Audley End station			
11	Edge of Bishop's Stortford	Housing and economic development	Range of existing facilities in town	Access to M11 Bishop's Stortford Station	Green Belt Birchanger Wood County Wildlife Site	n/a	Yes
12	Great Dunmow	n/a	Range of existing facilities in town	Access to A120 No station	SSSI to the west	n/a	Yes
13	Key Villages	n/a	Limited range of existing facilities	Stations at Great Chesterford, Newport, Stansted Mountfitchet, Elsenham	Various – none exclusionary	Good level of local services and facilities	Yes
14	Type 'A' Villages	n/a	Limited range of existing facilities	Majority of Type A villages are remote from the strategic transport network	Various – none exclusionary	Medium level of local services and facilities.	Yes
n/a	Rural area	Few/no cross-boundary issues	Few/no facilities	Large parts of the rural area are remote from strategic transport network	Green Belt to south and west fringe.	Very limited/none	No
n/a	Existing built-up areas	n/a	Range of existing facilities in town	As per areas 5 and 7 above.	Various	n/a	To be addressed by the SHLAA.

3. Areas of Search – Brief Review of Key Features

- 3.1 Having completed an initial screening of potential areas of search, this chapter provides a brief overview of the nine areas of search identified above. This information is presented as a first attempt to identify some of the key features and issues in relation to each area of search. It is not intended to be an assessment of the potential for development in each area, but simply a factual statement. Assessment will follow later in the Local Plan process. Members are invited to comment on any text which is considered wrong or misleading.
- 3.2 This review has been also been used to assist in mapping the areas of search. A District-wide map showing all areas of search is shown at **Appendix A**. To assist with clarity inset maps showing Saffron Walden, Great Dunmow, and the edge of Bishop’s Stortford are provided at **Appendices B, C, and D** respectively. Inset maps are not considered necessary for other areas, where the areas shown are approximate. The maps are intentionally shown as ellipses in order to avoid any misapprehensions that the areas are ‘sites’. To assist with clarity, new settlement Areas of Search are shown in blue, town extension Areas of Search in pink, Key Villages in yellow, and Type A Villages in green.
- 3.3 Maps of submitted sites are currently being prepared and the information submitted typed up. These will then be assessed as part of the standard methodology set out in the Strategic Housing Land Availability Assessment (SHLAA). It should be noted that the Areas of Search exercise has not been led by consideration of whether or not sites are available. Further SHLAA sites may be submitted at any time throughout the process.

Area of Search 1: M11 Junction 9a – east (new settlement options)

- 3.4 This area is located to the east of the junction of the M11, A11, and A1301, near junction 9. On a number of maps this junction is labelled 9a and is located a couple of miles north-east of the junction on the main section of the M11 referenced in related to Area of Search 2 below. Immediately after the junction the M11 becomes the A11 towards Newmarket.

Area of Search 2: M11 Junction 9 – west (new settlement options)

- 3.5 This area is located west of the M11, near junction 9. Junction 9 is not a full junction but provides access to the A11 towards Newmarket. It does not provide access onto the M11 southbound or the M11 northbound towards Cambridge.

- 3.6 In relation to Areas of Search 1 and 2, discussions with South Cambridgeshire District Council will be needed, as both lie on the boundary of the two districts. Early discussions will be needed with Highways England, Essex County Highways, and also Cambridgeshire County Highways.

Area of Search 3: Elsenham area (new settlement options)

- 3.7 This area of search mainly includes land the north and east of Elsenham, as far as Henham with its Conservation Area. The majority of the land lies to the east of the West Anglia Main Line. A planning application in this area has been called in by the Secretary of State for determination and a decision is anticipated during July 2015. The implications of this decision for the principles of development in the area will be carefully considered. Also within this area lies a separate Area of Search for Elsenham Key Village.

Area of Search 4: M11 Junction 8 – north-west (new settlement options)

- 3.8 This area of search lies to the north-west of Junction 8, and surrounds the area of Birchanger Type A village. The area is bounded by the A120 at Bishop's Stortford to the south-west and the M11 to the east. The area lies to the south of Foresthall Road, and includes Parsonage Spring, Digby Wood, and part of Birchanger Wood County Wildlife Sites.

Area of Search 5: M11 Junction 8 – south-east (new settlement options)

- 3.9 This area of search lies to the south-east of Junction 8, and is bounded by the M11 to the west, the A120 to the north, Hatfield Forest SSSI to the east, and Great Hallingbury (Type B village and designated Conservation Area) to the south.

Area of Search 6: South of A120, North of Hatfield Forest (new settlement options)

- 3.10 This area is located between Stansted Airport and the A120 to the north and Hatfield Forest SSSI to the south. To the east lie some balancing ponds which separated the area from Takeley. To the west lies Priory Wood County wildlife Sites.

Area of Search 7: North of A120, west of Great Dunmow (new settlement options)

- 3.11 Located north of the A120 west of Great Dunmow. This area has direct access to an existing junction on the A120 dual carriageway. A Registered Historic Park (Easton Lodge) and a SSSI (High Wood) are located within the broad area. Careful consideration will need to be given to whether suitable mitigation measures, including appropriate Green Infrastructure, design, and layout, can be achieved to make development in this location acceptable. Discussions with the relevant bodies relating to heritage and ecology will be needed.

Area of Search 8: South of the A120 (new settlement options)

- 3.12 This area was identified in a 2008 study commissioned by the East of England Regional Assessment (EERA – now defunct) as part of the then East of England Plan Review. This study undertook a high-level constraints screening exercise to identify potential areas for further assessment to host new settlements of 20,000+ dwellings. The study concluded that five areas merited further consideration. One of these was the area south of the A120, east of Hatfield Forest. Hatfield Forest SSSI and Garnetts Wood SSSI lie outside the area of search. There are two existing junctions onto the A120, one north of Barnston and south of Great Dunmow, and one west of Great Dunmow.

Area of Search 9: West of Braintree (new settlement options)

- 3.13 This area immediately adjoins the boundary of Uttlesford and Braintree districts. The area contains a number of County Wildlife Sites, including Boxted Wood and Moulin Wood. The Andrewsfield airstrip also lies within this area. Landownerships cross the boundary of Uttlesford and Braintree Districts. Braintree District has commissioned Garden City Developments to explore the principles and opportunities of Garden Cities with landowners and option holders in areas identified as potentially suitable for large scale settlements. Close working with Braintree Council will be necessary in assessment of this area to ensure that the requirements of the Duty to Co-Operate are met.

Area of Search 10: Saffron Walden (urban extensions)

- 3.14 Saffron Walden provides good access to a range of services and facilities in the town. However, recent appeal decisions suggest that assessment needs to be focused on understanding the impact of development options on the constrained street layout. Detailed consideration needs to be given to infrastructure capacity and the landscape context and setting of the town. Potential sites within the town will be considered through the Strategic Housing Land Availability Assessment (SHLAA).
- 3.15 Following the initial process above, land west of Saffron Walden at Audley Park Registered Historic Park will be excluded from further consideration. Seven initial areas of search have been identified and these are shown on the **inset map at Appendix B**.
- 3.16 **Area of Search 10a** lies between Windmill Hill and Little Walden Road. Outside the area of search to the south lies Bridge End Gardens Registered Historic Garden. Careful consideration will need to be given to the context and surroundings of the gardens.

- 3.17 **Area of Search 10b** lies between Little Walden Road and Ashdon Road. This extensive area of land includes the Harcamlow Way long-distance footpath and two County Wildlife Sites at Little Walden Road Quarry and Byrd's Farm Lane. Ashdon Road Commercial Centre lies to the eastern end of this area, and this has been granted planning permission for 167 homes plus employment land. Whitehill Wood County Wildlife Site lies outside the area of search to the east.
- 3.18 **Area of Search 10c** lies between Ashdon Road and Radwinter Road and includes the area surrounding the Community Hospital and the fuel storage depot. Pounce Wood County Wildlife Site lies outside the area of search to the east. South of Ashdon Road has been granted planning permission for 130 homes, 121 Radwinter Road has been granted planning permission for 52 homes, and 119 Radwinter Road has been granted planning permission for a 60-bed care home.
- 3.19 **Area of Search 10d** lies between Radwinter Road and Thaxted Road, and includes the area of Shire Hill Farm. This area was proposed for allocation for 800 residential units through the submission Local Plan (Policy Saffron Walden 1), withdrawn in January 2015. The Local Plan inspector concluded that the allocation was 'strategically sound', subject to reassurances about a link road between Radwinter Road and Thaxted Road¹. An appeal by Kier Homes for 300 residential units at the southern part of this site was dismissed at appeal in June 2015². Planning permission has been granted in this area for 200 houses or 220 houses and commercial development.
- 3.20 **Area of Search 10e** lies between Thaxted Road and Debden Road. The submission Local Plan (withdrawn January 2015) proposed to designate 7.8 hectares to the south of Lord Butler Leisure Centre and west of Thaxted Road to provide for rugby pitches, a running track, and additional facilities for a skateboard park (Policy Saffron Walden 1).
- 3.21 **Area of Search 10f** lies between Debden Road and Newport Road. Shortgrove Park Registered Historic Park lies outside the area of search to the south.
- 3.22 **Area of Search 10g** lies between Newport Road and Audley End Road. This area lies to the south of Saffron Walden County High School. Beechy Ride public bridleway passes through the area at the bottom of this valley landscape.
- Area of Search 11: Edge of Bishop's Stortford (urban extensions)**
- 3.23 An inset map of has been prepared (see Appendix D) which shows the potential for two Areas of Search.

¹ Uttlesford Local Plan Inspector's report, 19 December 2014, Paragraph 3.9

² Appeal ref: APP/C1570/A/14/2221494, DATED 2 June 2015 (Inspector: Mike Moore)

- 3.24 **Area of Search 11a** is located between the Stansted Road industrial estate in Bishop's Stortford and the A120 town bypass. Birchanger Wood County Wildlife Site lies outside the area of search to the south.
- 3.25 **Area of Search 11b** is located to the south of Beldams Lane in Bishop's Stortford, and north of the Sewage Treatment works. Bushy Mead County Wildlife Site lies outside the area of search on the opposite side of Hallingbury Road.
- 3.26 **Areas of Search 11a and 11b** are both designated Green Belt. An assessment should be carried out to assess the performance of the Uttlesford Green Belt against the five purposes of the Green Belt as set out in the NPPF (Paragraph 80). Following this, as part of work on the overall development strategy, the Council will need to make a decision about whether the exceptional circumstances exist (taking account of strategic considerations in the round) to merit release of any Green Belt.
- 3.27 Close working with East Hertfordshire District Council will be required to assess these areas of search and to ensure that the requirements of the Duty to Co-Operate are met.
- Area of Search 12: Great Dunmow (urban extensions)**
- 3.28 An inset map of Great Dunmow has been prepared (see Appendix C) which shows the potential for five Areas of Search around the town. Potential sites within the town will be considered through the Strategic Housing Land Availability Assessment (SHLAA).
- 3.29 **Area of Search 12a** is located between the A120 junction with the Stortford Road and Mill End. It includes the area of Ravens Farm. Hoglands Wood County Wildlife Site is located within the area, adjoining Great Dunmow. Adjoining the area to the east is Woodlands Park, where there is outstanding planning permission for around 925 dwellings still to be built. The southern part of the area has been granted permission for 790 dwellings (subject to the signing of a S106 obligation) West of Woodside Way (a recently constructed direct road link between the north and west sides of the town). A planning application to the north of this site has been called in by the Secretary of State for determination and a decision is anticipated during July 2015. The implications of this decision for the principles of development in the area will be carefully considered.
- 3.30 **Area of Search 12b** is located to the north of Great Dunmow in the Chelmer Valley as far as Church End. There is a Scheduled Monument (Parsonage Farm moated site) within this area. The northern part of Church End is a designated Conservation Area.

- 3.31 Note: the area between Church End and Great Dunmow comprises a recreation ground and protected area of open space and is not included within any areas of search.
- 3.32 **Area of Search 12c** is located in the area beyond St Edmunds Lane. The Merks Hall County Wildlife Site lies within the area of search. Permission for 22 custom-built units has been granted on appeal east of St. Edmunds Lane.
- 3.33 **Area of Search 12d** is located between Braintree Road and the A120. The northern part of the area includes Dunmow Park (private land). The southern part of the area includes a Sewage Treatment Works. The Flitch Way County Wildlife Site lies to the southern end of the area.
- 3.34 **Area of Search 12e** is located to the south of Ongar Road and north of the A120. Much of this land already has planning permission, including permission granted for 370 homes West of Chelmsford Road together with a retail store, and 100 homes south of Ongar Road. The area also includes some land north of Ongar road, part of which has been granted planning permission for 73 homes.
- 3.35 **Area of Search 12f** is located between the A120 and the B1256 Stortford Road. This area is bisected east-west by the Flitch Way, and there are a number of woodland blocks including Olives Wood, Ash Grove, and Oak Spring County Wildlife Sites.

Area of Search 13: Key Villages (village extensions/small sites)

- 3.36 There are seven Key Villages: Elsenham, Great Chesterford, Hatfield Heath, Newport, Stansted Mountfitchet, Takeley, and Thaxted. There have been a number of planning permissions granted recently in these villages. An assessment of the Green Belt will be needed for Hatfield Heath against the five purposes of Green Belt set out in the NPPF (Paragraph 80).

Area of Search 14: 'Type A' Villages (small sites)

- 3.37 There are 20 Type A villages as shown on the map of Areas of Search at Appendix A. There are many detailed local considerations which will need to be taken into account when assessing the potential of the 'Type A' Villages to contribute towards meeting housing needs. Further consideration will be given to how this will be undertaken in due course.

4. Scenario Building

- 4.1 It is very unlikely that, following assessment, all the areas of search will be found suitable, or will be necessary to meet objectively assessed levels of housing need. Having identified the initial areas of search, the next stage is to scope out some potential combinations of areas which could provide alternative options in the context of a given level of Local Plan development.

Level of development

- 4.2 Three different levels of development are proposed. The first level, of 580 dwellings per year, is based on the comments of the Uttlesford Local Plan Inspector in his report on the (withdrawn) Submission Local Plan in December 2014.
- 4.3 A higher level of development is proposed for testing purposes. This is considered necessary in order to ensure that the plan has tested the implications. This is necessary to ensure that the plan is properly justified. It is also important to test a higher level of growth in case of changes in population projections during the preparation of the plan.
- 4.4 Jointly with East Hertfordshire, Harlow, and Epping Forest Districts, the Council has commissioned a Strategic Housing Market Assessment (SHMA) to cover the M11 Housing Market Area. This is expected to report soon, and it should provide a figure of Objectively Assessed Need (OAN) for each District. Following careful consideration of the SHMA it will be necessary to review the level of growth set out in the scenarios to reflect the updated evidence.

A framework and a starting point

- 4.5 The scenarios presented below should not be mistaken for a 'menu' of options from amongst which the Council can choose a single one. Whilst residents, District Councillors, and others may indicate a preference for one or other scenario now, it is only upon completion of a review of the evidence over the coming months that the Council will be in a position to make an evidence-based decision, including on vital matters of deliverability.
- 4.6 The scenarios are limited in that at this stage until assessment has been carried out it is not possible to take a view in relation to the pace and phasing of development, which is a crucial in order to deliver a continuous flow of development over the plan period.
- 4.7 The scenarios should therefore be understood as a tentative first step towards understanding the implications of the levels of growth that the Council needs to plan for.

4.8 The scenarios set out below are not the only possible combinations of options from amongst the areas of search. It is important to limit the number of scenarios in order to provide a focused and distinct set of alternatives, which can then be subject to sustainability appraisal. This is a legal requirement of the Strategic Environmental Assessment (SEA) Directive.

Scenarios A to D (580 dwellings per year)

4.9 The following scenarios are based on an assumed level of growth at 580 dwellings per year. Extant permissions granted for around 5000 dwellings are common to all options. A windfall allowance³ of 50 dwellings per year or 750 over 15 years has been made. This approach was endorsed by the Local Plan inspector in his report of December 2014.

Table 2: Scenarios A-D (assuming District-wide provision of 580 per year or 8,700 over 15 years)

	Scenario A	Scenario B	Scenario C	Scenario D
Location	New settlement	Villages and BS	Towns	Hybrid
Extant permissions	5000	5000	5000	5000
Windfall allowance	750	750	750	750
Edge of Bishop's Stortford	0	500	0	500
Great Dunmow	0	0	1500	500
Saffron Walden	0	0	1500	500
Key Villages	0	1500	0	500
Type A Villages	0	1000	0	500
New settlement	3000	0	0	500
TOTAL	8750	8750	8750	8750

Scenario A: Focus on a new settlement (580 per year)

4.10 Under this scenario all the development would be focused on a single new settlement. The scale of the new settlement could ultimately reach 10,000 or more dwellings. However, applying reasonable assumptions of construction rates at around 300 dwellings per year, 3,000 dwellings could be completed by 2033, with the remainder of construction in the next 15-year plan period.

Scenario B: Focus on Villages and the edge of Bishop's Stortford (580 per year)

4.11 One possible method of distributing development amongst the villages would be to direct a higher level of development to the seven key villages and a lower level of development to the twenty 'Type A' villages. For illustrative

³ According to the Glossary in the National Planning Policy Framework, windfall means "Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available."

purposes, if assessment suggested the potential capacity for 1500 dwellings in the Key Villages, and this were distributed evenly between all seven, this would result in around 215 new dwellings per key village. If assessment suggested that there was potential for 1000 dwellings in the 20 Type A villages, this would result in 50 dwellings per village. In practice it is unlikely that villages will all have the same level of capacity and variations between the villages would need to be taken into account.

- 4.12 Bishop's Stortford lies within East Hertfordshire District, but the boundary of Uttlesford District directly adjoins part of the town. Subject to assessment, there may be the potential for a limited amount of development in the two areas of search identified here, perhaps in the region of 500 dwellings in total.

Scenario C: Focus on Towns (580 per year)

- 4.13 The towns of Saffron Walden and Great Dunmow are the main centres of population and services in the district. This scenario would see 1500 dwellings provided in each town. Both towns have accommodated considerable levels of development in recent years and there are extant planning permissions for significant amounts of further development. Careful consideration will need to be given to the character and setting of the towns, and also the capacity to expand existing services and facilities, such as schools and GP provision.

Scenario D: Hybrid Option 1 (580 per year)

- 4.14 This option would see development spread between towns and villages, and an assumption is made that a start could be made on delivery of housing at a new settlement towards the end of the plan period, with the majority of construction taking place after 2033. This scenario may be considered reasonable if assessment of a new settlement shows that there is no realistic prospect of early delivery.

Scenarios E-G (750 dwellings per year)

4.15 The following scenarios are based on the higher level growth assumption. The same common assumptions relating to extant permissions and windfall apply as under scenarios A-D.

Table 3: Scenarios E-G (assuming 750 dwellings per year or 11,250 over 15 years)

	Scenario E	Scenario F	Scenario G
Location	Two new settlements	Towns and Villages	Hybrid 2
Extant permissions	5000	5000	5000
Windfall allowance (50 per year)	750	750	750
Edge of Bishop's Stortford	0	500	500
Great Dunmow	0	1500	1000
Saffron Walden	0	1500	1000
Key Villages	0	1500	1000
Type A Villages	0	1000	1000
New settlements	6000	0	1500
TOTAL	11,750	11,750	11,750

Scenario E: Two New Settlements

4.16 This scenario is very similar to Scenario A but includes two new settlements, each developed at a rate of around 300 dwellings per year, reflecting the higher level of development needed to meet a higher District-wide housing requirement.

Scenario F: Towns and Villages

4.17 This scenario is a combination of scenarios B and C, reflecting the higher District-wide housing requirement under this scenario.

Scenario G: Hybrid Option 2

4.18 This scenario is similar to Scenario F but the introduction of a new settlement takes some of the pressure off the towns and villages.

Scenario H: No additional Local Plan provision

- 4.19 This scenario fails to meet the housing requirement. This scenario is not considered realistic because it would fail to meet national policy requirements for positive planning and the Council would not be able to demonstrate that it had made every effort to meet objectively assessed needs for development. It is very unlikely that such a plan would be found sound by a Planning Inspector following examination. Such a plan would result in a prolonged period of planning by appeal across the District in the absence of a five-year housing land supply.

Table 4: Scenario H: No additional Local Plan provision beyond existing permissions and windfall allowance.

	Scenario H
Location	No additional provision
Extant permissions	5000
Windfall allowance (50 per year)	750
Bishop's Stortford	0
Great Dunmow	0
Saffron Walden	0
Key Villages	0
Type A Villages	0
New settlements	0
TOTAL	5750

5. Next Steps

- 5.1 The above work provides a reasonable starting point and framework for initial consideration by Members, prior to the commencement of any work on formulation of the Local Plan. Members may comment on any aspect of the work presented here by emailing planningpolicy@uttlesford.gov.uk. These comments will then be taken into account before this work is revisited at the next Working Group meeting prior to public consultation.
- 5.2 It is proposed that the areas of search and the scenarios presented here will form the basis of a public consultation in the autumn, subject to any amendments and updates arising from initial input from Members and any updates needed as a result of the publication of the Strategic Housing Market Assessment.
- 5.3 The areas of search and scenarios will be provided to the Sustainability Appraisal consultants for appraisal using the framework contained within the SA Scoping Report. This document will be presented to Members at the next Working Group meeting, and it is proposed that this will form part of the supporting documentation published for public consultation.
- 5.4 The Work Plan considered by the Working Group on 13 July set out the overarching approach. Within the context of the overall Work Plan there are a significant number of sub-tasks which will need to be considered and the implications of this in terms of the assessment process will need to be made. A selection of key questions which will need to be addressed are set out below.

What are the local constraints and opportunities associated with each area?

- 5.5 With the assistance of the relevant specialists, work is currently underway to gather together all the available data across the District. This includes for existing, mapped data relating to the historic environment and ecological assets, agricultural land, environmental quality, traffic and transport, and policy designations used by both the District and County Councils. It will include qualitative as well as quantitative data, for example relating to landscape and historic character.
- 5.6 This data will be assembled and will provide a significant resource which the Council can draw upon. An audit of the available data will identify any gaps which may need to be filled through further evidence gathering. Consideration will then need to be given to whether assets may be preserved through layout and masterplanning or whether the evidence suggests that development should be restricted.

What provision will be made for on and off-site infrastructure?

- 5.7 In general, the larger the development, the more infrastructure can be provided on-site.
- 5.8 Small developments tend to rely on capacity within existing infrastructure nearby. The advantage of a Local Plan is that it can provide a framework for consideration of the cumulative impact of lots of small sites on existing infrastructure. It is anticipated that in most cases the existing capacity or expansion potential of infrastructure, such as schools and GP surgeries, will be limited. However, the requirement on Councils to 'make every effort' means that it must be clearly demonstrated whether or not capacity can be made available.
- 5.9 Large and small developments together can cumulatively create strains on off-site strategic infrastructure serving a wide area. In the case of secondary schools, hospitals, and transport in particular, this can often be a cross-boundary strategic planning issue requiring joint consideration with neighbouring authorities.
- 5.10 Provision of utilities, in particular the feasibility and costs of construction of new sewage treatment facilities and connection to existing treatment works, will need to be assessed in conjunction with the relevant statutory undertakers and the prospects for obtaining the necessary discharge consents will need to be agreed with the Environment Agency.

Is there a realistic prospect of delivery on the proposed timeline?

- 5.11 Prior to submission of the plan to the Planning Inspectorate for examination, it will be necessary to have identified proposals from landowners and developers, particularly for the first five years. This is necessary in order to demonstrate that the plan is effective (i.e. deliverable).
- 5.12 If the Local Plan process identifies suitable sites which the landowner has not expressed an interest in developing, a view will need to be reached on how far the Council is able to risk a delay to the plan whilst talks with the landowner proceed.
- 5.13 The Local Plan must demonstrate that it will provide a continuous supply of development throughout the plan period. The date when such a development could realistically begin to deliver housing completions, and the pace at which this can be maintained, will need to be carefully considered.
- 5.14 Consideration will need to be given to any site abnormalities such as site preparation, ground conditions, potential requirements for mineral extraction, and trigger points for housing delivery taking account of on and off-site infrastructure provision.

- 5.15 Careful consideration will need to be given to issues which may impact on deliverability. For example, one major difficulty with 2014 Submission Local Plan was the issue of the railway crossing at Elsenham, which closes for approximately 20 minutes every hour for trains to pass. The Uttlesford Local Plan Inspector commented that *“the future policy of Network Rail towards the continued existence of the crossing appears to be full of uncertainty... Opportunity to build in satisfactory integration between the two parts of the village would have been lost”* (19 December 2014, Paragraphs 2.6-2.7).

Does the plan rest on a coherent strategy and vision⁴ for managing development?

- 5.16 The plan should have a credible strategy and vision for jobs, housing, infrastructure and facilities across the District, taking account of the wider context and economic geography of the area and its key relationships with other areas. This strategy will be high-level and proportionate, providing a framework for planning applications rather than a detailed blueprint.
- 5.17 The vision should be informed by inputs from the local community, businesses, and other stakeholders. District Councillors have a crucial role to play in terms of obtaining this feedback and plugging it into the plan-making process.

⁴ For further information see the report entitled “Towards a Fresh Vision of the District in 2033”, considered by the Planning Policy Working Group on 13 July 2015: www.uttlesford.gov.uk/ppwg